

Notice of Allowability	Application No.	Applicant(s)	
	09/884,591	YAMADA ET AL.	
	Examiner	Art Unit	
	Joseph R. Pokrzywa	2622	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment dated 6/20/05.
2. ☒ The allowed claim(s) is/are 1-23.
3. ☒ The drawings filed on 19 June 2001 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).**
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date <u>6/20/05</u> | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

Joseph R. Pokrzywa
 JOSEPH R. POKRZYWA
 PRIMARY EXAMINER
 ART UNIT 2622

DETAILED ACTION

Response to Amendment

1. Applicant's amendment was received on 6/20/05, and has been entered and made of record. Currently, claims 1-23 are pending.

Information Disclosure Statement

2. The references listed in the Information Disclosure Statement submitted on 6/20/05, being a copy of the SB/08A form originally filed 3/9/05, have been considered by the examiner (see attached PTO/SB/08A).

Allowable Subject Matter

3. **Claims 1-23** are allowed.
4. The following is an examiner's statement of reasons for allowance:

Regarding *claims 1 and 18*, in the examiner's opinion, it would not have been obvious to one of ordinary skill in the art at the time the invention was made to have the image forming apparatus in a system include the features of storing a serial number of the apparatus and program information about the program stored in the apparatus, whereby the program is rewritten when the serial number stored in the memory of the apparatus corresponds to a serial number stored in the memory of a administering apparatus, and if the rewrite program is determined to be newer based on rewrite program information stored at the administering apparatus and the program information stored in the apparatus. The closest prior art, previously

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noted as Domenikos *et al.* (U.S. Patent Number 5,838,916), and the newly cited references of Ohara (U.S. Patent Number 6,694,376) and Gase *et al.* (U.S. Patent Number 5,580,177), each fail to particularly teach these features. Therefore, these features, which were added in the amendment dated 6/20/05, render the claims allowable.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Citation of Pertinent Prior Art

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

Kondo (U.S. Patent Application Publication US 2002/0141761) discloses a system of forwarding a program to a printer based on a model name and serial number transmitted from the printer, but the reference has a U.S. filing date later than the present application;

Ohara (U.S. Patent Number 6,694,376) discloses a data communication system which updates the firmware of a printer based on the printer's stored firmware version number, but fails to expressly disclose of rewriting the firmware when the serial number stored in the memory of the apparatus corresponds to a serial number stored in the memory of an administering apparatus, and if the rewrite program is determined to be newer based on rewrite program information stored at the administering apparatus and the program information stored in the apparatus; and

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Gase *et al.* (U.S. Patent Number 5,580,177) discloses a system of updating a printer driver based on the type of printer that is requested to print data, but fails to teach of the printer receiving the rewrite program, as the printer driver is transmitted to a client processor.

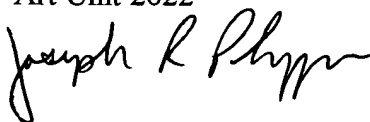
Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joe Pokrzywa whose telephone number is (571) 272-7410. The examiner can normally be reached on Monday-Friday, 9:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward L. Coles can be reached on (571) 272-7402. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Joseph R. Pokrzywa
Primary Examiner
Art Unit 2622



jrp